(2) Animal fats and animal wastes, including poultry fats and poultry wastes, and other waste materials.

(3) Municipal solid waste and sludges and oils derived from wastewater and the treatment of wastewater.

(n) *Export of renewable fuel* means:

(1) Transfer of a batch of renewable fuel to a location outside the United States; and

(2) Transfer of a batch of renewable fuel from a location in the contiguous 48 states to Alaska, Hawaii, or a United States territory, unless that state or territory has received an approval from the Administrator to opt-in to the renewable fuel program pursuant to § 80.1143.

(o) *Renewable Identification Number (RIN)*, is a unique number generated to represent a volume of renewable fuel pursuant to §§ 80.1125 and 80.1126.

(1) *Gallon-RIN* is a RIN that represents an individual gallon of renewable fuel; and

(2) *Batch-RIN* is a RIN that represents multiple gallon-RINs.

(p) *Neat renewable fuel* is a renewable fuel to which only de minimus amounts of conventional gasoline or diesel have been added.

[72 FR 23992, May 1, 2007, as amended at 73 FR 57254, Oct. 2, 2008]

§§ 80.1102–80.1103 [Reserved]

§ 80.1104 What are the implementation dates for the Renewable Fuel Standard Program?

The RFS standards and other requirements of § 80.1101 and all sections following are effective beginning on September 1, 2007.

[72 FR 23993, May 1, 2007]

§ 80.1105 What is the Renewable Fuel Standard?

(a) The annual value of the renewable fuel standard for 2007 shall be 4.02 percent.

(b) Beginning with the 2008 compliance period, EPA will calculate the value of the annual standard and publish this value in the FEDERAL REGISTER by November 30 of the year preceding the compliance period.

(c) EPA will base the calculation of the standard on information provided by the Energy Information Administration regarding projected gasoline volumes and projected volumes of renewable fuel expected to be used in gasoline blending for the upcoming year.

(d) EPA will calculate the annual renewable fuel standard using the following equation:

$$RFStd_i = 100 * \frac{RFV_i - Cell_i}{(G_i - R_i) + (GS_i - RS_i) - GE_i}$$

Where:

RFStd$_i$ = Renewable Fuel Standard, in year i, in percent.

RFV$_i$ = Nationwide annual volume of renewable fuels required by section 211(o)(2)(B) of the Act (42 U.S.C. 7545), for year i, in gallons.

G$_i$ = Amount of gasoline projected to be used in the 48 contiguous states, in year i, in gallons.

R$_i$ = Amount of renewable fuel blended into gasoline that is projected to be used in the 48 contiguous states, in year i, in gallons.

GS$_i$ = Amount of gasoline projected to be used in noncontiguous states or territories (if the state or territory opts-in) in year i, in gallons.

RS$_i$ = Amount of renewable fuel blended into gasoline that is projected to be used in noncontiguous states or territories (if the state or territory opts-in), in year i, in gallons.

GE$_i$ = Amount of gasoline projected to be produced by exempt small refineries and small refiners, in year i, in gallons (through 2010 only, except to the extent that a small refinery exemption is extended pursuant to § 80.1141(e)).

Cell$_i$ = Beginning in 2013, the amount of renewable fuel that is required to come from cellulosic sources, in year i, in gallons.

(e) Beginning with the 2013 compliance period, EPA will calculate the value of the annual cellulosic standard and publish this value in the FEDERAL REGISTER by November 30 of the year preceding the compliance period.

(f) EPA will calculate the annual cellulosic standard using the following equation:

$$\text{RFCell}_i = 100 * \frac{\text{Cell}_i}{(G_i - R_i) + (GS_i - RS_i)}$$

Where:

RFCell$_i$ = Renewable Fuel Cellulosic Standard in year i, in percent.

G$_i$ = Amount of gasoline projected to be used in the 48 contiguous states, in year i, in gallons.

R$_i$ = Amount of renewable fuel blended into gasoline that is projected to be used in the 48 contiguous states, in year i, in gallons.

GS$_i$ = Amount of gasoline projected to be used in noncontiguous states or territories (if the state or territory opts-in), in year i, in gallons.

RS$_i$ = Amount of renewable fuel blended into gasoline that is projected to be used in noncontiguous states or territories (if the state or territory opts-in), in year i, in gallons.

Cell$_i$ = Amount of renewable fuel that is required to come from cellulosic sources, in year i, in gallons.

[72 FR 23993, May 1, 2007]

§ 80.1106 To whom does the Renewable Volume Obligation apply?

(a) (1) An obligated party is a refiner that produces gasoline within the 48 contiguous states, or an importer that imports gasoline into the 48 contiguous states. A party that simply adds renewable fuel to gasoline, as defined in § 80.1107(c), is not an obligated party.

(2) If the Administrator approves a petition of Alaska, Hawaii, or a United States territory to opt-in to the renewable fuel program under the provisions in § 80.1143, then ''obligated party'' shall also include any refiner that produces gasoline within that state or territory, or any importer that imports gasoline into that state or territory.

(3) For the purposes of this section, ''gasoline'' refers to any and all of the products specified at § 80.1107(c).

(b) For each compliance period starting with 2007, any obligated party is required to demonstrate, pursuant to § 80.1127, that it has satisfied the Renewable Volume Obligation for that compliance period, as specified in § 80.1107(a).

(c) An obligated party may comply with the requirements of paragraph (b) of this section for all of its refineries in the aggregate, or for each refinery individually.

(d) An obligated party must comply with the requirements of paragraph (b) of this section for all of its imported gasoline in the aggregate.

(e) An obligated party that is both a refiner and importer must comply with the requirements of paragraph (b) of this section for its imported gasoline separately from gasoline produced by its refinery or refineries.

(f) Where a refinery or importer is jointly owned by two or more parties, the requirements of paragraph (b) of this section may be met by one of the joint owners for all of the gasoline produced at the refinery, or all of the imported gasoline, in the aggregate, or each party may meet the requirements of paragraph (b) of this section for the portion of the gasoline that it owns, as long as all of the gasoline produced at the refinery, or all of the imported gasoline, is accounted for in determining the renewable fuels obligation under § 80.1107.

(g) The requirements in paragraph (b) of this section apply to the following compliance periods:

(1) For 2007, the compliance period is September 1 through December 31.

(2) Beginning in 2008, and every year thereafter, the compliance period is January 1 through December 31.

[72 FR 23993, May 1, 2007]

§ 80.1107 How is the Renewable Volume Obligation calculated?

(a) The Renewable Volume Obligation for an obligated party is determined according to the following formula:

$$RVO_i = (RFStd_i * GV_i) + D_{i-1}$$

Where:

RVO$_i$ = The Renewable Volume Obligation for an obligated party for calendar year i, in gallons of renewable fuel.

RFStd$_i$ = The renewable fuel standard for calendar year i, determined by EPA pursuant to § 80.1105, in percent.

GV$_i$ = The non-renewable gasoline volume, determined in accordance with paragraphs (b), (c), and (d) of this section, which is produced or imported by the obligated party in calendar year i, in gallons.

D$_{i-1}$ = Renewable fuel deficit carryover from the previous year, per § 80.1127(b), in gallons.